

1 Robert J. Giuffra, Jr. (*pro hac vice*)
giuffrar@sullcrom.com
2 Sharon L. Nelles (*pro hac vice*)
nelless@sullcrom.com
3 William B. Monahan (*pro hac vice*)
monahanw@sullcrom.com
4 John G. McCarthy (*pro hac vice*)
mccarthyj@sullcrom.com
5 SULLIVAN & CROMWELL LLP
125 Broad Street
6 New York, New York 10004
Telephone: (212) 558-4000
7 Facsimile: (212) 558-3588

8 Laura Kabler Oswell (SBN 241281)
oswelll@sullcrom.com
9 SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
10 Palo Alto, California 94303
Telephone: (650) 461-5600
11 Facsimile: (650) 461-5700

12 *Counsel for Defendants Volkswagen Group*
13 *of America, Inc. and Audi of America, LLC*

14 [Additional Counsel Listed on Signature Page]

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17

18 IN RE: VOLKSWAGEN 'CLEAN DIESEL'
19 MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

20 This document relates to:

21 *Nemet, et al. v. Volkswagen Group of America,*
22 *Inc., et al., Case No. 3:17-cv-04372-CRB*
23

No. 02672-CRB (JSC)

**STIPULATION AND [PROPOSED]
ORDER SETTING NEW HEARING
DATE FOR DEFENDANTS' MOTIONS
TO DISMISS THE PRE-NOV
PLAINTIFFS' AMENDED COMPLAINT**

In accordance with Local Civil Rule 6-2, Plaintiffs and Defendants Volkswagen Group of America, Inc., Audi of America, LLC, Robert Bosch LLC, and Robert Bosch GmbH (“Defendants”) (collectively with Plaintiffs, the “Parties”), through their undersigned counsel, hereby agree and stipulate to the following matters:

WHEREAS, on January 15, 2019, Defendants filed their motions to dismiss Plaintiffs’ First Amended Class Action Complaint, ECF Nos. 5782, 5783 (the “Motions”); on March 26, 2019, Plaintiffs filed their opposition to the Motions, ECF No. 6085; and on May 2, 2019, Defendants filed their replies in support of the Motions, ECF Nos. 6244, 6245;

WHEREAS, the current hearing date for the Motions is set for July 12, 2019;

WHEREAS, due to the unavailability of counsel for one of the Parties on the current hearing date, the Parties have conferred and have agreed to set the hearing on the Motions for July 26, 2019, at 10:00 a.m, subject to the Court’s approval.

IT IS THEREFORE STIPULATED AND AGREED by the Parties, through their respective counsel of record, that, subject to the Court’s approval, on July 26, 2019 at 10:00 a.m., in Courtroom 6 of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA 94102-3489, the Court will hear oral argument on the Motions.

Dated: May 13, 2019

Respectfully submitted,

/s/ Steve W. Berman

Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
1301 Second Avenue, Suite 2000
Seattle, Washington 98101
Telephone: 206) 623-7292
Facsimile: (206) 623-0594
[Email: steve@hbsslaw.com](mailto:steve@hbsslaw.com)

Robert B. Carey (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
11 W. Jefferson St., Ste. 100
Phoenix, AZ 85003
Telephone: (602) 840-5900
Facsimile: (602) 840-3012
[Email: rob@hbsslaw.com](mailto:rob@hbsslaw.com)

Shana E. Scarlett (SBN 217895)
HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Robert J. Giuffra, Jr.

Robert J. Giuffra, Jr. (*pro hac vice*)
giuffrar@sullcrom.com
Sharon L. Nelles (*pro hac vice*)
nelles@sullcrom.com
William B. Monahan (*pro hac vice*)
monahanw@sullcrom.com
John G. McCarthy (*pro hac vice*)
mccarthyj@sullcrom.com

SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588

Laura Kabler Oswell (SBN 241281)
oswelll@sullcrom.com
SULLIVAN & CROMWELL LLP
1870 Embarcadero Road

1 715 Hearst Avenue, Suite 202
Berkeley, CA 94710
2 Telephone: (510) 725-3000
Facsimile: (510) 725-3001
3 [Email: shanas@hbsslaw.com](mailto:shanas@hbsslaw.com)

4 Stuart M. Paynter (SBN 226147)
THE PAYNTER LAW FIRM, PLLC
5 1200 G Street NW Suite 800
Washington, D.C. 20005
6 Telephone: (202) 626-4486
Facsimile: (866) 734-0622
7 [Email: stuart@paynterlawfirm.com](mailto:stuart@paynterlawfirm.com)

8 Celeste H. G. Boyd (*pro hac vice*)
THE PAYNTER LAW FIRM, PLLC
9 106 S. Churton St., Ste 200
Hillsborough, NC 27278
10 Telephone: (919) 370-6300
11 [Email: cboyd@paynterlaw.com](mailto:cboyd@paynterlaw.com)

Counsel for Plaintiffs

Palo Alto, California 94303
Telephone: (650) 461-5600
Facsimile: (650) 461-5700

*Counsel for Volkswagen Group of America,
Inc. and Audi of America, LLC*

/s/ Matthew D. Slater
Matthew D. Slater (*pro hac vice*)
CLEARY GOTTLIEB STEEN &
HAMILTON LLP
2112 Pennsylvania Ave., NW,
Washington, DC 20037
Phone: (202) 974-1500
Facsimile: (202) 974-1999
mslater@cgsh.com

Carmine Boccuzzi (*pro hac vice*)
CLEARY GOTTLIEB STEEN &
HAMILTON LLP
One Liberty Plaza
New York, NY 10006
Phone: (212) 225-2508
Facsimile: (212) 225-3999
cboccuzzi@cgsh.com

Ryan Sandrock (SBN 251781)
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, CA 94104
Phone: (415) 772-1200
Facsimile: (415) 772-7400
rsandrock@sidley.com

*Counsel for Robert Bosch LLC and Robert
Bosch GmbH*

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 May ____, 2019

Honorable Charles R. Breyer
UNITED STATES DISTRICT JUDGE